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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL GUEST,

Plaintiff,

-against-

DEPARTMENT OF CORRECTIONS
CITY OF NEW YORK, et al.,

Defendants.

1:22-cv-972 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

Plaintiff initiated this action by filing a complaint on February 2, 2022. ECF No. 2. On August 5, 2022, Defendants moved to dismiss the complaint. ECF Nos. 16-18. On September 22, 2022, the Court, having not receiving Plaintiff's opposition to the Defendants' motion to dismiss, ordered Plaintiff to "file his opposition to the motion to dismiss or file a letter indicating that no opposition will be filed by October 13, 2022." ECF No. 20. The Court warned Plaintiff "that failure to comply with this order may result in the case being dismissed for failure to prosecute." ECF No. 20 (citing Fed. R. Civ. P. 41(b)).

On October 27, 2022, the Court, having not received Plaintiff's opposition to the motion to dismiss or a letter indicating that no opposition would be filed, ordered that "on or before November 17, 2022, Plaintiff shall file a letter explaining why this case should not be dismissed for failure to prosecute." ECF No. 21. The Court warned Plaintiff that "failure to comply with this Order may result in dismissal of the action." ECF No. 21.

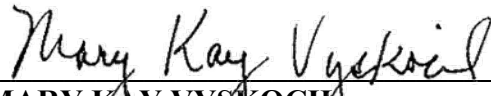
On November 21, 2022, the Court received notice that the copy of its most recent Order sent to Plaintiff was returned to sender. The Plaintiff should advise the Court of his current address by January 3, 2023. If the Plaintiff does not provide his current address this action may be dismissed without prejudice for failure to prosecute. *See Ikpemgbe v. New York*, No. 18-cv-

1027, 2021 WL 4198409, at *2 (S.D.N.Y. Sept. 15, 2021) (“Courts have repeatedly recognized that dismissal for failure to prosecute is appropriate where a plaintiff effectively disappears by failing to provide a current address where he or she can be reached.” (citation omitted)).

The Clerk of the Court is respectfully requested to mail a copy of this order to the *pro se* Plaintiff at the address of record.

SO ORDERED.

Date: December 2, 2022
New York, NY


MARY KAY VYSKOČIL
United States District Judge